



# DANN DORFMAN HERRELL AND SKILLMAN

JUN 1 2004

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ESTABLISHED 1973

PATENT, TRADEMARK  
AND COPYRIGHT LAW  
AND RELATED CAUSES

PROSECUTION  
LICENSING  
LITIGATION  
DISPUTE RESOLUTION

C. MARSHALL DANN (1977-2002)

TNJ & NY BARS ONLY

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May 20, 2004

## UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application for National Phase  
Filing in the United States of  
Applicant: Jörg Peter Schür

Serial No.: 10/069,476

Examiner: Neil S. Levy

Filing Date: July 1, 2002

Group Art Unit: 1616

Based upon PCT/EP00/08344

Filed: August 25, 2000

Priority Date: August 25, 1999

For: "PLANT PROTECTION"

### Certificate of Mailing Under 37 CFR § 1.8

I hereby certify that the document entitled **Applicant's Amendment and Response Under 37 CFR § 1.111 To United States Patent and Trademark Office Examiner's Action** is being deposited as first class mail, postage prepaid, with United States Postal Service under 37 CFR § 1.8 on the date indicated below in an envelope addressed to "MAIL STOP-RESPONSES-FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450."

May 20, 2004

Date

John S. Child, Jr.  
John S. Child, Jr.

### Petition for Extension Under 37 CFR § 1.136(a)

**Applicant's Amendment and Response** is to an United States Patent and Trademark Office Examiner's Action which was mailed January 20, 2004. The Office Action had a shortened statutory period for response set to expire three (3) months from January 20, 2004, on April 20, 2004. Applicant hereby petitions for a one-month extension of time from the April 20, 2004 deadline to May 20, 2004 to file its **Amendment and Response** Pursuant to 37 CFR § 1.111. The Extension Fee in the amount of \$55.00 (for a Small Entity) is enclosed.

John S. Child, Jr.  
John S. Child, Jr.

PTO Registration No. 28,833

### Authorization To Charge Deposit Account

In the event the check is improper, or a fee calculation is in error, the Commissioner is authorized to charge any underpayment or credit any overpayment to the account of the undersigned attorneys, Account No. 04-1406. A duplicate copy of this sheet is enclosed for fee-processing, if necessary.

DANN DORFMAN HERRELL AND SKILLMAN

A Professional Corporation

John S. Child, Jr.  
John S. Child, Jr.

PTO Registration No. 28, 833

PTO SB/17 (10-03)  
Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PTO SB/17 (10-03)  
Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# PATENT FEE TRANSMITTAL

## for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 485.00

Complete if Known

JUN 1 2004

Application Number	10/069,476
Filing Date	July 1, 2002
First Named Inventor	Jörg Peter Schür
Examiner Name	Neil S. Levy
Art Unit	1616
Attorney Docket No.	von Kreisler.021

### METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number	04-1406
Deposit Account Name	Dann Dorfman Herrell and Skillman

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			0

#### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
21	-20** = 0	9.00	0
14	-3** = 10	43.00	430.00
Multiple Dependent	-4	145.00	0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 430.00

\*\*or number previously paid, if greater; For Reissues, see above

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	\$55.00
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 55.00

### SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	John S. Child, Jr.	Registration No. (Attorney/Agent)	28,833	Telephone	215-563-4100
Signature	John S. Child, Jr.	Date	May 20, 2004		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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